

Message

From: Fullagar, Jill [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7BA061353C314B40A14A8BE1EE382AE3-GABLE, JILL]
Sent: 9/7/2018 11:20:42 PM
To: Cora, Lori [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c8850941bf1540c796559dce75c2f5ee-Cora, Lori]; Glazer, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6578deb6a4b042ffbe42a9854429feb5-Glazer, Tho]; Sweeney, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=37ae2b769eab4231bdf19334e3651814-SSWEENEY]
CC: Schroer, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=573fc5bb4942495d9fc3cd9438634244-LSCHROER]; Steiner-Riley, Cara [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0bef7d04f2e64e4b8b90235a30cc7109-Steiner-Riley, Cara]
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

I don't really have an update. I'm trying to schedule a call with Jim Havard, but am having some scheduling difficulties, so am waiting to hear back from Chris Hunter. At this point, I do not have a clear picture of who is the decision maker for moving forward, or how our recommendations are going to be moved up the chain. I am not clear if that comes from the RA or the program at HQ, and do not know what more they need to move forward at this point, or if a final decision has been made regarding the DDT and phosphorus listings. Hopefully a call with Jim will clarify that. I'll be in touch. Thanks.

jill

Jill Fullagar, Impaired Waters Coordinator
Watershed Unit, Office of Water and Watersheds
US EPA, Region 10
1200 Sixth Avenue, Suite 155 (OWW-192)
Seattle, WA 98101-3140
(206) 553-2582, (206) 553-1280 (fax)
fullagar.jill@epa.gov

From: Cora, Lori
Sent: Friday, August 31, 2018 11:49 AM
To: Glazer, Thomas <glazer.thomas@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Jill will need to update you, its been a very confusing and inefficient process double backing with the State. The RA and Dan Opalski, however, also noted the need to brief David ROSS for any final decision.

Lori Houck Cora | Assistant Regional Counsel
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P: (206) 553.1115 | F: (206) 553.1762 | cora.lori@epa.gov

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From: Glazer, Thomas
Sent: Friday, August 31, 2018 11:09 AM
To: Cora, Lori <Cora.Lori@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

I'm not aware of anything in the pipeline for Dave Ross – although that doesn't necessarily mean it's not happening.

Attorney Client / Ex. 5

Tom Glazer
USEPA Office of General Counsel
Water Law Office
7426N WJC North
(202) 564-0908

From: Cora, Lori
Sent: Friday, August 31, 2018 1:52 PM
To: Glazer, Thomas <glazer.thomas@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

The staff at the region have been waiting for a management decision on the 332 plus 774 temperature TMDL Cat 5 waters.

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From: Glazer, Thomas
Sent: Friday, August 31, 2018 6:30 AM
To: Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Attorney Client / Ex. 5

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Tom Glazer
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(202) 564-0908

From: Sweeney, Stephen
Sent: Friday, August 31, 2018 8:56 AM
To: Cora, Lori <Cora.Lori@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Attorney Client / Ex. 5

From: Cora, Lori
Sent: Thursday, August 30, 2018 7:26 PM
To: Glazer, Thomas <glazer.thomas@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

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From: Glazer, Thomas
Sent: Thursday, August 30, 2018 8:23 AM
To: Cora, Lori <Cora.Lori@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

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Tom Glazer
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From: Glazer, Thomas
Sent: Thursday, August 30, 2018 11:16 AM
To: Cora, Lori <Cora.Lori@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Here is the NOI. It's attached to an article from InsideEPA.

<https://insideepa.com/daily-feed/cbd-threatens-suit-over-climate-related-ocean-acidification>

Tom Glazer
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From: Cora, Lori
Sent: Wednesday, August 29, 2018 7:17 PM
To: Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

I've still not seen the NOI, but in December 2016 when the Region partially approved and partially disapproved Oregon's submission and proposed to list over 1000 waters as impaired, we did not propose to list ocean waters as impaired.

Lori Houck Cora | Assistant Regional Counsel
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From: Sweeney, Stephen
Sent: Tuesday, August 28, 2018 11:28 AM
To: Cora, Lori <Cora.Lori@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>
Cc: Schroer, Lee <schroer.lee@epa.gov>
Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

The most recent action was December 2016 ... I wonder what motivated the NOI at this point.

From: Cora, Lori
Sent: Tuesday, August 28, 2018 2:21 PM

To: Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>

Cc: Schroer, Lee <schroer.lee@epa.gov>

Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

<https://www.epa.gov/tmdl/partial-approval-and-partial-disapproval-oregon-2012-303d-list>

Hi, Steve. This link takes you to EPA's last action on the Oregon 303(d) list. We partially approved and partially disapproved Oregon's 2012 submission and proposed to list approximately 1000 waters. We did not propose to list Oregon ocean waters as impaired for OA, but we did take public comment seeking information and data about impacts from OA.

Attorney Client / Ex. 5

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From: Sweeney, Stephen

Sent: Tuesday, August 28, 2018 11:16 AM

To: Cora, Lori <Cora.Lori@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>

Cc: Schroer, Lee <schroer.lee@epa.gov>

Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Tom or Lori,

Could one of you please forward to me the most recent EPA "action" document on this? I remember reviewing it but don't remember the substance.

Attorney Client / Ex. 5

Thanks,

Steve

From: Cora, Lori

Sent: Tuesday, August 28, 2018 2:11 PM

To: Glazer, Thomas <glazer.thomas@epa.gov>

Cc: Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Schroer, Lee <schroer.lee@epa.gov>

Subject: RE: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Although this NOI appears to be just about OA listing,

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From: Glazer, Thomas

Sent: Tuesday, August 28, 2018 11:09 AM

ED_002660K_00032260-00005

To: Cora, Lori <Cora.Lori@epa.gov>

Cc: Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Schroer, Lee <schroer.lee@epa.gov>

Subject: Re: CBD sends NOI for failure to list ocean waters impaired for OA in Oregon

Thanks Lori. Let us know when you get a copy of the NOI.

Lee: Steve or I can mention this at Reg Review.

Sent from my iPhone

On Aug 28, 2018, at 2:04 PM, Cora, Lori <Cora.Lori@epa.gov> wrote:

https://www.biologicaldiversity.org/news/press_releases/2018/ocean-acidification-08-28-2018.php

Hello, we found out that CBD has sent an NOI today. FYI.

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